



08 NOV 2004

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

CIBA Specialty Chemicals Corporation
Patent Department
540 White Plains Road
PO Box 2005
Tarrytown, NY 10591-9005

In re Application of	:	
HOLZL, Werner et al.	::	
U.S. Application No.: 10/750,810	:	DECISION ON
Filing Date: 31 December 2003	:	
Attorney's Docket No.: HM/5-	:	PETITION
21810/A/PCT/DIV	:	
For: MICROBICIDAL ACTIVE	:	UNDER 37 CFR 1.181
SUBSTANCES	:	

Applicants filed "Request For Suspension of Rules Under 37 CFR §1.183," in the United States Patent and Trademark Office on 20 September 2004. It has been treated as a petition under 37 CFR 1.181.

BACKGROUND

On 31 December 2003, applicants filed application 10/750,810, a divisional of application no. 09/762,008, patent 6,689,372, which is a 371 of PCT/EP99/05449.

On 06 May 2004, the Office mailed a filing receipt in the above case indicating that the filing date of application 09/762,008 is 01 February 2000.

On 20 September 2004, applicants filed the instant request seeking a corrected filing receipt.

DISCUSSION

The filing date listed on a filing receipt for an application filed under 35 U.S.C. §371 is the date on which the requirements of 35 U.S.C. §371(c)(1), (2) and (4) were satisfied. The filing receipt lists the filing date of 09/762,008 as 01 February 2000. However, Office records reflect that the 35 U.S.C. §371(c)(1), (2) and (4) requirements were satisfied on 01 February 2001. The filing receipt for 10/750,810 incorrectly listed the domestic priority date data. A corrected filing receipt is enclosed.

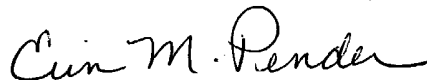
CONCLUSION

For the above reasons, the Petition Under 37 CFR 1.181 is **GRANTED**.

This application is being forwarded to the Office of Initial Patent Examination for further processing.



Leonard E. Smith
PCT Legal Examiner
PCT Legal Administration



Erin M. Pender
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292

Facsimile: 571-273-0459